

THIS FORM MUST BE USED BY A PRISONER APPLYING TO PROCEED IN FORMA PAUPERIS IN A CIVIL RIGHTS CASE

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Yasin Villafana

(Plaintiff in this action)

: AFFIDAVIT OF POVERTY
: and ACCOUNT CERTIFICATION
: (CIVIL RIGHTS)

v.

: Civil Action No. _____

(To be supplied by the Clerk of the Court)

Essex/Union County Department of
Corrections

Sergeant Navarro #2793

Officer Perez (male) Lt. Green

: DNJ-Pro Se-007-A-(Rev.12/2020)

Disciplinary/Hearing officer Zydzik

(Defendant(s) in this action)

Union County Sheriff Officers Papas

Alastame

Instructions:

The Clerk will not file a civil complaint unless the person seeking relief pays the entire filing fee (currently \$350) and an administrative fee (currently \$52) in advance, or the person applies for and is granted in forma pauperis status pursuant to 28 U.S.C. § 1915. See Local Civil R. 5.1(f). A prisoner who seeks to proceed in forma pauperis must submit to the Clerk (1) a completed affidavit of poverty and (2) a copy of the trust fund account statement for the prisoner for the six month period immediately preceding the filing of the complaint, obtained from and certified as correct by the appropriate official of each prison at which the prisoner is or was confined for the preceding six months. See 28 U.S.C. § 1915(a)(2).

If the Judge enters an order granting a prisoner's application to proceed in forma pauperis, then the order will assess the filing fee (currently \$350) against the prisoner and collect the fee by directing the agency having custody of the prisoner to deduct an initial partial filing fee equal to 20% of the greater of the average monthly deposits to the prison account or the average monthly balance in the prison account for the six-month period immediately preceding the filing of the complaint, as well as monthly installment payments equal to 20% of the preceding month's income credited to the account for each month that the balance of the account exceeds \$10.00, until the entire filing fee has been paid, regardless of the outcome of the proceeding. See 28 U.S.C. § 1915(b).

The prisoner must complete all questions in the following affidavit, sign and date the affidavit, and then obtain the signature of the appropriate prison official who certifies the prison account statement. After the appropriate prison official certifies your prison trust fund account statement(s), you must attach the prison account statement(s) to this application, for each prison or jail wherein you were incarcerated during the previous six months. If your application to proceed in forma pauperis is incomplete, then the Court may enter an order denying your application without prejudice and administratively terminating your case without filing the complaint.

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In support of this application, I state the following under the penalty of perjury:

1. I, Yasin Villafane (print your name), declare that I am the
☒ Plaintiff / movant ☐ Other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty, I am unable to prepay the costs of said proceeding or give security therefor; that I believe I am entitled to relief.

2. The nature of my claim or the issues I intend to present on appeal are briefly stated as follows:

Constitutional (8th Amendment) violation Title 42 U.S.C 1983, Title
18 U.S.C 241-242 Violation

3. List dates and places of confinement for the immediately preceding six months:

Dates of Confinement

5-5-2022

Places of Confinement

Essex County Correctional Facility

For each institution in which you have been confined for the preceding six months, you must obtain a copy of your prison account and the signature of the appropriate prison official (see certification on p. 3).

4. Are you employed at your current institution? ☐ Yes ☒ No

Do you receive any payment or money from your current institution? ☐ Yes ☒ No

If Yes, state how much you receive each month: 0

5. In the past 12 months, have you received any money from any of the following sources?

		<u>Amount</u>
a. Business, profession, or other self-employment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>0</u>
b. Rent payments, interest, or dividends	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>0</u>
c. Pensions, annuities, or life insurance payments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>0</u>
d. Disability or workers compensation payments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>0</u>
e. Gifts or inheritances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>0</u>
f. Any other sources	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>\$1,665</u>

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6. Other than your prison account, do you have cash or a checking or savings account in your name?

If "Yes," state the total in the account at this time: ☒ Yes ☒ No

7. Do you own any other assets or property?

☐ Yes ☒ No

If "Yes," please describe: N/A

8. I, Yasin Villafana # 227003786 SBI#548112-C

(Print or Type Name and Number of Prisoner)

declare under penalty of perjury that the aforesaid statements made by me are true and correct. I authorize the agency having custody over me to assess, withdraw from my prison account, and forward to the Clerk of the District Court for the District of New Jersey (1) an initial partial filing fee equal to 20% of the greater of the average monthly deposits to my prison account or the average monthly balance in my prison account for the six-month period immediately preceding the filing of the complaint, and (2) payments equal to 20% of the preceding month's income credited to my prison account each month the amount in the account exceeds \$10.00, until the \$ 350.-- fee is paid. 28 U.S.C. § 1915(b)(1) and (2).

11-01-2023

DATE

[Signature]
SIGNATURE OF PRISONER

THIS PORTION OF YOUR APPLICATION SHALL NOT BE LEFT BLANK.

IF THIS PORTION IS NOT COMPLETED, YOUR APPLICATION WILL BE DENIED WITHOUT PREJUDICE

ACCOUNT CERTIFICATION SIGNED BY PRISON OFFICIAL

I, Deborah C. [Signature] (print name), certify that the attached trust fund account statement (or institutional equivalent) is a true and correct copy.

11/8/23
DATE

[Signature] (Signature)

Chubriehani (Title)

Inmate Name: VILLAFANA, YASIN J										
Current Balance: \$0.03 Booking # 227003786 Permanent # 2020-006928										
Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To	Cost Recovery Collected	To Cost Recovery	Balance	
349359	03/17/23 09:32	WW		9023113		Withdrawals				
						Deposits				
						3/17 WW	\$21.00			\$21.15
349496	03/17/23 11:06	CR		9023644			\$3.62			\$24.77
						Accounting API Transaction				
350115	03/19/23 15:58	IC	21483807564326	9042561			\$30.00			\$54.77
						Talley, Meccah				
4362951	03/20/23 08:06	CO		9048550			\$54.73			\$0.04
						Accounting API Transaction				
352137	03/24/23 09:42	WW		9082982			\$21.00			\$21.04
						3/24 WW				
352213	03/24/23 11:33	CR		9083647			\$1.81			\$22.85
						Accounting API Transaction				
4391535	03/27/23 07:52	CO		9108128			\$22.65			\$0.20
						Accounting API Transaction				
4402887	03/29/23 19:45	PW		9131675			\$0.15			\$0.05
354708	03/30/23 12:18	CR		9134935			\$1.81			\$1.86
						Accounting API Transaction				
4423990	04/03/23 20:27	PW		9175266			\$0.10			\$1.76
4424069	04/03/23 20:34	PW		9175425			\$0.27			\$1.49
4429732	04/05/23 11:48	PW		9187181			\$0.76			\$0.73
4429774	04/05/23 12:02	PW		9187282			\$0.66			\$0.07
4429789	04/05/23 12:05	PW		9187313			\$0.05			\$0.02
357898	04/08/23 14:08	IC	21506943351846	9213331			\$40.00			\$40.02
						Talley, Meccah				
4449517	04/10/23 08:12	CO		9227939			\$39.96			\$0.06
						Accounting API Transaction				
4457610	04/11/23 20:25	PW		9244833			\$0.05			\$0.01
Accounting Transactions And Balances										

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Inmate Name: VILLAFANA, YASIN J										
Current Balance: \$0.03 Booking # 227003786 Permanent # 2020-006928										
Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To	Cost Recovery Collected	To Cost Recovery	Balance	
359292	04/12/23 08:42	CR		9248092		Withdrawals	\$0.88		\$0.89	
						Accounting API Transaction				
4462272	04/12/23 19:22	PW		9254434		\$0.19			\$0.70	
4462667	04/12/23 20:07	PW		9255225		\$0.61			\$0.09	
4475909	04/15/23 20:05	PW		9282622		\$0.05			\$0.04	
360910	04/16/23 17:42	IC	21507339283238	9289428			\$30.00		\$30.04	
						Talley, Meccah				
4481706	04/17/23 08:35	CO		9294525		\$29.68			\$0.36	
						Accounting API Transaction				
362197	04/19/23 13:44	CR		9316257			\$29.68		\$30.04	
						Accounting API Transaction				
4511600	04/24/23 08:29	CO		9356236		\$29.79			\$0.25	
						Accounting API Transaction				
363895	04/25/23 12:48	CR		9366191			\$1.60		\$1.85	
						Accounting API Transaction				
4518516	04/25/23 19:46	PW		9370517		\$0.06			\$1.79	
4518968	04/25/23 20:31	PW		9371455		\$0.67			\$1.12	
4529494	04/28/23 16:32	PW		9393289		\$0.76			\$0.36	
4529524	04/28/23 16:39	PW		9393350		\$0.31			\$0.05	
370921	05/17/23 04:10	IC	21543394263331	9556797			\$25.00		\$25.05	
						Talley, Meccah				
371567	05/19/23 11:57	IC	21543464625955	9564445			\$50.00		\$75.05	
						Reid, Willie				
372029	05/21/23 09:11	IC	21561939473571	9580982			\$30.00		\$105.05	
						Davis, Tamise				
4623882	05/21/23 20:02	PW		9587588		\$0.76			\$104.29	
Accounting Transactions And Balances										

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Inmate Name: VILLAFANA, YASIN J				Current Balance: \$0.03		Booking # 227003786		Permanent # 2020-006928		
Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To		Cost Recovery Collected	To Cost Recovery	Balance
4624055	05/21/23 20:18	PW		9587944		Withdrawals	Deposits			\$103.53
						\$0.76				
4624200	05/21/23 20:35	PW		9588241						\$102.78
						\$0.75				
4624338	05/21/23 20:45	PW		9588528						\$102.28
						\$0.50				
4625025	05/22/23 08:16	CO		9589970		\$76.99				\$25.29
						Accounting API Transaction				
4625465	05/22/23 08:20	CO		9590853		\$20.00				\$5.29
						Accounting API Transaction				
4625649	05/22/23 08:52	PW		9591225		\$0.76				\$4.53
4626037	05/22/23 11:22	PW		9592149		\$0.76				\$3.77
4626771	05/22/23 14:14	PW		9593692		\$0.65				\$3.12
4629888	05/23/23 08:17	PW		9600022		\$0.76				\$2.36
4630033	05/23/23 09:28	PW		9600345		\$0.76				\$1.60
4630068	05/23/23 09:44	PW		9600421		\$0.76				\$0.84
4630103	05/23/23 10:01	PW		9600489		\$0.76				\$0.08
4630689	05/23/23 12:47	PW		9601725		\$0.05				\$0.03

Account Type	Current Balance
MAIN Inmate Fund	\$0.03
Totals:	\$0.03

Assigned Cost Recovery	Balance Due
Totals:	\$0.00

Available Balance: \$0.03

Inmate Name: VILLAFANA, YASIN J				Current Balance: \$1.91		Booking # 227003786		Permanent # 2020-006928		
Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To Withdrawals	Deposits	Cost Recovery Collected	To Cost Recovery	Balance
4624055	05/21/23 20:18	PW		9587944		\$0.76				\$103.53
4624200	05/21/23 20:35	PW		9588241		\$0.75				\$102.78
4624338	05/21/23 20:45	PW		9588528		\$0.50				\$102.28
4625025	05/22/23 08:16	CO		9589970		\$76.99				\$25.29
						Accounting API Transaction				
4625465	05/22/23 08:20	CO		9590853		\$20.00				\$5.29
						Accounting API Transaction				
4625649	05/22/23 08:52	PW		9591225		\$0.76				\$4.53
4626037	05/22/23 11:22	PW		9592149		\$0.76				\$3.77
4626771	05/22/23 14:14	PW		9593692		\$0.65				\$3.12
4629888	05/23/23 08:17	PW		9600022		\$0.76				\$2.36
4630033	05/23/23 09:28	PW		9600345		\$0.76				\$1.60
4630068	05/23/23 09:44	PW		9600421		\$0.76				\$0.84
4630103	05/23/23 10:01	PW		9600489		\$0.76				\$0.08
4630689	05/23/23 12:47	PW		9601725		\$0.05				\$0.03
395295	08/02/23 20:11	IC	21644702303909	10171729			\$100.00			\$100.03
						Reid, Willie				
4913936	08/04/23 20:39	PW		10186369		\$0.05				\$99.98
4919610	08/06/23 14:35	PW		10198034		\$0.27				\$99.71
4922431	08/07/23 09:40	CO		10203908		\$73.48				\$26.23
						Accounting API Transaction				
Accounting Transactions And Balances										

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Inmate Name: VILLAFANA, YASIN J				Current Balance: \$1.91		Booking # 227003786		Permanent # 2020-006928		
Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To Withdrawals	Deposits	Cost Recovery Collected	To Cost Recovery	Balance
4923057	08/07/23 09:45	CO		10205168		\$20.00				\$6.23
						Accounting API Transaction				
4925315	08/07/23 18:22	PW		10209921		\$0.61				\$5.62
4925528	08/07/23 18:55	PW		10210356		\$0.76				\$4.86
4925679	08/07/23 19:13	PW		10210666		\$0.76				\$4.10
4926131	08/07/23 20:06	PW		10211592		\$0.28				\$3.82
4926219	08/07/23 20:15	PW		10211769		\$0.23				\$3.59
4926886	08/08/23 07:30	PW		10213135		\$0.76				\$2.83
4932143	08/09/23 12:20	PW		10224104		\$0.15				\$2.68
4933324	08/09/23 17:27	PW		10226501		\$0.04				\$2.64
4933612	08/09/23 18:20	PW		10227087		\$0.76				\$1.88
4934535	08/09/23 20:23	PW		10228953		\$0.76				\$1.12
4934597	08/09/23 20:29	PW		10229078		\$0.18				\$0.94
4935307	08/10/23 07:22	PW		10230514		\$0.60				\$0.34
4935315	08/10/23 07:31	PW		10230539		\$0.31				\$0.03
408927	09/10/23 13:23	IC	21684606829605	10498860			\$100.00			\$100.03
						Reid, Willie				
5068502	09/11/23 08:46	CO		10506889		\$69.88				\$30.15
						Accounting API Transaction				
5068854	09/11/23 08:51	CO		10507594		\$20.00				\$10.15
						Accounting API Transaction				
Accounting Transactions And Balances										
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Inmate Name: VILLAFANA, YASIN J

Current Balance: \$1.91

Booking # 227003786

Permanent # 2020-006928

Receipt #	Transaction Date/Time	Transaction Type Code	Doc. Locator #	Transaction #	Check#	Deposit From/Withdrawal To Withdrawals	Deposits	Cost Recovery Collected	To Cost Recovery	Balance
5068982	09/11/23 08:52	CO		10507850		\$10.00				\$0.15
						Accounting API Transaction				
409829	09/13/23 09:31	CR		10525650			\$1.76			\$1.91
						Accounting API Transaction				

Account Type	Current Balance
MAIN Inmate Fund	\$1.91
Totals:	\$1.91

Assigned Cost Recovery	Balance Due
Totals:	\$0.00

Available Balance: \$1.91